



Patent
Our Docket: 1011.CON1.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: COUTO et al.

Serial No. 10/632,645

Filed: August 1, 2003

For: Adeno-Associated Vector Composition for
Expression of Factor VIII

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Art Unit: 1635

Examiner: Brian A. Whiteman

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO:
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Date

Signature of person mailing correspondence

Response to Species Election

This communication is being filed in response to a Restriction Requirement mailed on December 7, 2005 in connection with the above connection with the above-identified patent application. Applicants are filing concurrently with this response a Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequences and/or Amino Acid Sequence Disclosures.

A response to this Restriction Requirement was originally due on January 7, 2006. As part of this Communication, Applicant is filing a Petition for a Five Month Extension of Time, thereby extending the deadline to file a response to June 7, 2006. Accordingly, this response is timely filed.

I. Remarks

Claims 1-11 are pending in the subject application and are subject to a species election.

II. Species Election

In the Office Action, the Examiner has required restriction under 35 U.S.C. § 121 to one of the following patentably distinct species of the claimed invention: a tissue-specific promoter selected from the HNF-3 albumin promoter in claim 4 and the TTR gene promoter in claim 5.

Responsive to the requirement for an election of species, Applicants hereby elect the species "TTR gene promoter", which reads on claim 5. This election is without traverse to the extent that it is understood that the requirement will be withdrawn upon the finding of an allowable generic claim.

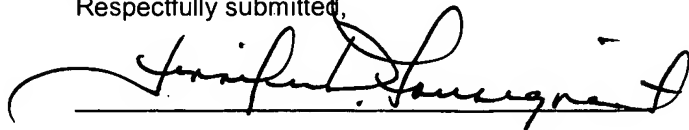
III. Conclusion

No fee is deemed necessary in connection with the filing of this communication. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 07-1074.

6/7/06

Date

Respectfully submitted,



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